

## **Committee #3**

### **Transportation, Construction, Public Safety and Traffic**

Committee 3 was called to order on Wednesday September 24, 2008 at 6:30 pm in the City Hall Council Chambers.

Present:

Council Members: Jack Covill, Brian Flynn, Jason Anderson, Susan Zukowski  
City Officials: Greg Hoffman, City Administrator Ron Singel, Police Chief Wayne Nehring

1. Discuss Cathy Coyle's request to sell plants from her home at 45 E. Birch Street, with plants encroaching into the boulevard with possible recommendations to the Council.

Wayne Nehring presented information on the two ordinances that govern public use of the road. Ms. Coyle would have the option to seek a permit from the council to allow her use of the boulevard for the sale of her plants if she would so choose.

Motion by Zukowski/Flynn to recommend Cathy go through the permitting process for consideration of sales with plants encroaching on the Boulevard. All present voting aye, motion carried.

2. Discuss and recommend a plan of action regarding a workplace ban concerning air quality issues. The purpose of this meeting is to have open discussion among committee/council members regarding how they will proceed with this matter.

A discussion of the impact of smoking and a potential ban were discussed by the committee. While there is a well known health impact of smoking, that may benefit individuals through a ban, there are other impacts that need to be considered. Those impacts include: economic impact on businesses, economic impact on the city, and freedom of choice for businesses and individuals.

Mr. Covill provided information on a study by the Tavern League of Eau Claire showing a direct link between the recent Eau Claire city smoking ban and an average decline in business profits by 35% to 40% in Eau Claire, along with 2 bars who have gone out of business due to the ban. Other economic impact studies have indicated similar trends nationwide with the potential for businesses to rebound in the future. With the state of our current economy the committee is concerned with the ability for local businesses to be able to sustain the impact.

Currently there are a variety of cities and counties throughout the state that have passed smoking bans leading to a variety of verbiage as well as non-uniform laws. This has lead to smokers leaving the jurisdiction of one city and traveling to bars in other municipalities that allow smoking. Mr. Covill referenced a UW-Milwaukee study indicating drunk driving fatalities have increased by 13% due to smokers traveling outside their home municipality and traveling to ones where bars allow smoking and then traveling home after an evening of drinking.

Several options for action were discussed including taking no action, having an advisory referendum added to the November ballot, taking public comment and

reviewing possible ordinances for recommendation.

Mr. Anderson discussed the cost involved with a referendum and the committee dismissed this option. With the current state of the city budget the committee does not want to tie up city funds at this time.

Mr. Hoekstra was unable to attend, but had sent an email to council members prior to the meeting. Mr. Anderson voiced Mr. Hoekstra's perspective that additional public and professional opinion be taken with the consideration of an ad hoc committee to address this issue. The committee discussed this approach and were in agreement that with three prior opportunities for public discussion as well as the well known health impact of smoking and second hand smoking that if we were to solicit additional experts/opinions we would need to focus on other issues broader than the health impacts.

With all of the potential impacts from smoking and a potential smoking ban, it was agreed by the committee that the economic impact outweighs the health issue at this time and that recommending an ordinance to ban smoking in bars/taverns would be a disservice to businesses during the current economic state of affairs.

Motion by Flynn/Covill to recommend a motion that we recommend to the common council that we take no action until the State of Wisconsin Legislative, Judicial and Executive branches make a recommendation for the entire state of Wisconsin which shall include all townships, villages, cities and counties with respects of banning or supporting smoking in public and in all private businesses to which the general public have access. All present voting aye, motion carried.

### 3. Adjournment

Motion by Covill/Zukowski to adjourn at 6:52 pm. All present voting aye, motion carried.

Minutes submitted by,  
Susan Zukowski, Chair